

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY LEONARD HUFTEL,

Defendant.  
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ORDER  
19-cr-007-wmc-1

Pursuant to 18 U.S.C. § 3552(b) and (c), the court will order that a presentence study be conducted in this case on the basis that more information than is otherwise available is needed to determine the sentence to be imposed. The defendant pled guilty to distributing child pornography in violation of 18 U.S.C. § 2252(a)(2) and (b)(1), is facing a mandatory minimum sentence of 5 years' imprisonment, and a maximum term of 40 years' imprisonment. The advisory guideline range is 210 to 240 months.

Specifically, this court requires more information about the defendant's risk of danger to his victim, as well as his mental condition, in order to determine the appropriate sentence under 18 U.S.C. § 3553(a). Additional information is also needed to assess (1) whether the defendant needs medication and therapeutic treatment while incarcerated and (2) whether certain types of prison facilities are better suited for the defendant's correctional and rehabilitative needs. Under the facts presented, the court specifically finds, under § 3552(b), that there is a compelling reason for a presentence study to be performed by the Bureau of Prisons.

The parties having no objection to a presentences study, and pursuant to 18 U.S.C. § 3552(b) and (c), and 18 U.S.C. § 4244(b), IT IS ORDERED that:

- A. The Bureau of Prisons shall evaluate the defendant and advise the court, in writing, regarding:
  - 1. The defendant's present mental condition;
  - 2. The defendant's likely ability to function in a traditional prison environment;
  - 3. Whether the Bureau of Prisons can provide the defendant with necessary medication and mental health treatment while he is incarcerated;
  - 4. The post-release conditions that could best accord the defendant the kind of treatment he needs while adequately addressing the risks if he were reunited with his victim in the family home upon release; and
  - 5. Any other matters that the Bureau of Prisons believes to be pertinent to the factors set forth in 18 U.S.C. § 3553(a).
- B. The Bureau of Prisons' report shall be completed within the time provided by § 3552(b), including reasonable extensions of time.
- C. The Clerk of the Court shall set a case management deadline for October 21, 2019 with the following docket text: Check for Bureau of Prisons presentence study.
- D. The U.S. Probation and Pretrial Services Office shall provide a copy of the presentence report, defendant's sentencing memorandum, and supporting letters to the Bureau of Prisons.
- E. The sentencing hearing in this matter is continued until further order of the Court. Upon receiving the report from the Bureau of Prisons, the Court will establish a new sentencing schedule.
- F. Copies of this order shall be provided to counsel of record and the U.S. Marshals Service.

G. The U.S. Marshals Service shall maintain custody of the defendant and advise the Bureau of Prisons of this order.

Entered this 21<sup>st</sup> day of August 2019.

BY THE COURT:

/s/

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Honorable William M. Conley  
U.S. District Judge